

RALPH J. MARRA, Jr.
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UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	Honorable William H. Walls, U.S.D.J.
<i>Plaintiff,</i>	:	Criminal No. 06-955
v.	:	CONSENT JUDGMENT AND
STEVE CARDENAS	:	PRELIMINARY ORDER OF
<i>Defendant.</i>	:	FORFEITURE

WHEREAS, on November 30, 2006, the United States filed an Indictment, Criminal No. 06-955, against Steve Cardenas, charging him with conspiracy to distribute and possess with the intent to distribute 1 kilogram or more of heroin, a Schedule I narcotic controlled substance, in violation of 21 U.S.C. § Section 841(a)(1) and (b)(1)(A); and

WHEREAS, on April 25, 2007, Steve Cardenas pled guilty to the Indictment; and

WHEREAS, pursuant to 21 U.S.C. § 853, a person convicted of an offense in violation of 21 U.S.C. § 841, et seq., shall forfeit to the United States any and all property constituting or derived from any proceeds the defendant obtained, directly or indirectly, as a result of the offense and, any and all property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of that offense; and

WHEREAS, by virtue of the above, the United States is now entitled to possession of all that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachment and easements, located at 856 Billy Court, Rahway, New Jersey (hereinafter the "Property"), representing property constituting or derived from proceeds obtained as a result of the controlled substance offense and traceable thereto, pursuant to 21 U.S.C. § 853 and Rule 32.2 of the Federal Rules of Criminal Procedure; and

WHEREAS, Defendant acknowledges that he possessed the Property in violation of 21 U.S.C. § 841, as set forth in the Indictment, and that the Property is therefore subject to forfeiture to the United States pursuant to 21 U.S.C. § 853. Defendant waives all interests in and claims to the Property described above, and hereby consents to the forfeiture of the Property to the United States. Defendant agrees to consent promptly upon request to the entry of any orders deemed necessary by the Government or the Court to complete the forfeiture and disposition of the Property. Defendant waives the requirements of Federal Rules of Criminal Procedure 32.2 and 43(a) regarding notice of forfeiture in the charging instrument, announcement of the forfeiture in the Defendant's presence at sentencing, and incorporation of the forfeiture in the Judgment. Defendant acknowledges that he understands that forfeiture of the Property will be part of the sentence imposed upon the Defendant in this case and waives any failure by the Court to advise the Defendant of this, pursuant to Federal Rule of Criminal Procedure 11(b)(1)(J), during the plea hearing. Pursuant to Rule 32.2(b)(3), Defendant will promptly consent to the finalization of the order of forfeiture before sentencing if requested by the Government to do so. Defendant hereby waives, and agrees to hold the United States and its agents and employees harmless from, any and all claims whatsoever in connection with the seizure, forfeiture, and disposal of the

Property described above. Defendant waives all constitutional and statutory challenges of any kind to any forfeiture carried out pursuant to this consent judgment.

It is hereby **ORDERED, ADJUDGED AND DECREED:**

THAT the herein described asset, namely all that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachment and easements, located at 856 Billy Court, Rahway, New Jersey is hereby forfeited to the United States of America for disposition in accordance with the law subject to the provisions 21 U.S.C. § 853; and

THAT pursuant to 21 U.S.C. § 853(n)(1), the United States shall publish notice of this Order and of its intent to dispose of the property in such a manner as the Attorney General may direct, including posting notice on the official internet government forfeiture site www.forfeiture.gov for at least 30 consecutive days; and

THAT pursuant to 21 U.S.C. § 853(n)(2), any person, other than the Defendant, having or claiming a legal interest in any of the above-listed forfeited property must file a petition with the Court within **thirty (30)** days of the final publication of notice or of receipt of actual notice, whichever is earlier. The notice shall state that the petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the property, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title or interest in each of the forfeited property and any additional facts supporting the petitioner's claim and the relief sought; and

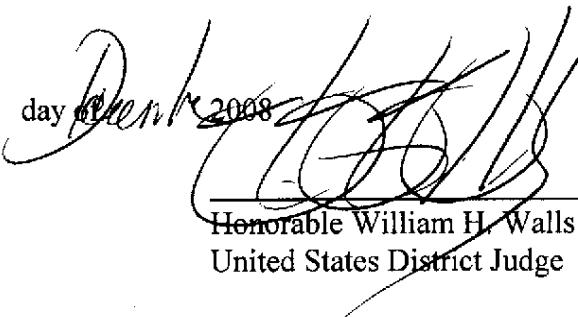
THAT the United States may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in the property that is the subject of this

Preliminary Order of Forfeiture, as a substitute for published notice as to those persons so notified; and

THAT the aforementioned forfeited property is to be held by the appropriate United States agency in its secure custody and control until the appropriate disposition of said Property by the United States; and

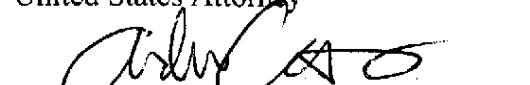
THAT upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853(n), in which all interests will be addressed.

ORDERED this 15 day of December 2008

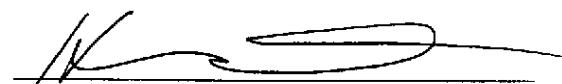

Honorable William H. Walls
United States District Judge

The Undersigned hereby consent to the entry and form of this order:

CHRISTOPHER J. CHRISTIE
United States Attorney


By: ANDREW CAREY
Assistant United States Attorney

Dated: 12/9/08


HOWARD B. BROWNSTEIN, ESQ.
Brownstein, Booth & Associates
Attorney for Defendant Steve Cardenas

Dated: 12/9/08


Steven Cardenas

12/9/08